



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548		Inspection Date(s) 01/23/2004
		DOT Registration(s)
Type of Operation Shipper/Transporter		DOT Exemption(s)
Business Organization <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation State GA Date		Principal Office (if different)

Person(s) Interviewed

Name	Title	Custodian of Record
Neil Schwartz	President	Yes

Inspector #1 William B. Stevens Code DHM-46.5 Title Hazardous Materials Enforcement Specialist	<input type="checkbox"/> No Further Action <input type="checkbox"/> Warning Letter <input type="checkbox"/> Other:	<input type="checkbox"/> Ticket <input checked="" type="checkbox"/> Enforcement Report
Inspector #2 Code Title	Signature Name John P. Heneghan Title Chief, Southern Region Date 3-12-04	

Summary of Inspection

On January 23, 2004, Senior Hazardous Materials Enforcement Specialist William Stevens and Edward Rastetter conducted a compliance inspection at Balloon Innovations, Inc., 3908 Shirley Dr., Atlanta, GA 30336. Mr. Neil Schwartz, President, represented the company during the inspection and provided necessary documents. Balloon Innovations is a shipper and transporter of hazardous materials, compressed gases, in US DOT specification cylinders.

Prior to this inspection, the Southern Region Office of Hazardous Materials Enforcement received a telephone call from Mr. Sam Thompson, Area Vice President of Georgia, for Airgas South, located at 821-D Livingston Court, Marietta, GA 30067. He informed us of what he felt was a serious safety violation concerning US DOT specification cylinders in the Atlanta, GA area.

Probable violations noted during the inspection were discussed with Mr. Schwartz during the Exit Briefing (exhibit 1). Violations concerned causing cylinder owner identification markings to be ground off the cylinder and filling them without further inspection and testing to determine general condition when knowing of the cylinders abraded areas. Further, not being registered to ship hazardous materials, using an emergency number on the shipping paper when not authorized to use it, no training and not maintaining shipping papers for 375



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days.

A letter of corrective action was received (exhibit 13), dated February 20, 2004, from Mr. Schwartz, addressing the violations. However, they did not completely correct everything. The inspector contacted Mr. Schwartz on February 23, 2004 and advised him of the things still required. He provided the additional information March 1, 2004.



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	DOT Registration(s)

Violation Number: 1	Number Discovered: 200 +
49 CFR Section: 171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).	
Exhibit Number 1 through 12.	

Filling and offering for transportation, DOT 3AA specification cylinders filled with a hazardous material, Helium, compressed, 2.2, UN1046, while failing to perform new testing and inspection of the cylinders to determine general condition, when cylinders were known and caused to have been subjected to conditions of abrasions, physical abuse, and possible over-heating, which may render the cylinders unsafe for use, in violation of 171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).

Evidence

On January 23, 2004, Senior Hazardous Materials Enforcement Specialist William Stevens and Edward Rastetter conducted a compliance inspection at Balloon Innovations, Inc., 3908 Shirley Dr., Atlanta, GA 30336. Mr. Neil Schwartz, President, represented the company during the inspection and provided necessary documents. Balloon Innovations is a shipper and transporter of hazardous materials, compressed gases, in US DOT specification cylinders.

Prior to this inspection, the Southern Region Office of Hazardous Materials Enforcement received a telephone call from Mr. Sam Thompson, Area Vice President of Georgia, for Airgas South, located at 821-D Livingston Court, Marietta, GA 30067. He informed us of what he felt was a serious safety violation concerning stolen US DOT specification cylinders, in the Atlanta, GA area. He followed the phone call with an e-mail explaining everything discussed (exhibit 2). Inspector Stevens proceeded to Airgas South, Inc, at 1088 Atlanta Rd, Marietta, GA on December 31, 2003 and met with Mr. Thompson and Mr. Barnett, and photographed approximately 200 cylinders (exhibit 3).

According to Airgas, the issue is one of safety where Mr. Schwartz of Balloon Innovations (BII) was appropriating other companies' cylinders, having an automobile body shop grind off the original owners name from the shoulder and neck ring area and filling the area on the shoulder with bondo then re-painting the cylinders to hide the abrasions and grindings. This practice was evidently happening for approximately ten years and involves an estimated hundreds of cylinders. Mr. Thompson provided the police investigation worksheet and the police search warrant (exhibit 4).

Airgas also provided a short list of cylinders, by serial number and company ownership, he currently is holding in his possession (exhibit 5). He further plans to destroy these cylinders out of a concern for safety. These tanks did show evidence of the bondo and grinding. The cylinders photographed by the inspector shows where grinding had taken place on the shoulders and neck rings, but most of the original owners names, on the shoulders, under the bondo, were still readable (exhibit 3).



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Exhibit Number 1 through 12.	

Inspectors Stevens and Rastetter proceeded to The Professional Body Shop, 2770 Campbellton Rd, SW, Atlanta, GA. Discussions with Mr. Willie Smith, Owner, found he had been grinding the names from the shoulders and neck rings for approximately ten years for Mr. Schwartz of BII. He stated Mr. Schwartz directed him to grind off any company names which appeared on the shoulder or neck ring, fill in the space with bondo and re-paint them. He also stated to remove the name stamped into the cylinders he had started out using a grinding wheel on them and later used a grinding disc for better control. He also had some of his employees do this, other than himself. He further added that he never stamped "BII" into the neck rings (Oral statements, exhibit 6). Mr. Smith provided copies of random invoices to Balloon Innovations for the work he did on the cylinders. These representative samples are from January 2003 back to September 1998 (exhibit 7).

During the inspection at Balloon Innovations, Mr. Schwartz was asked if he did do the things as explained above. He verified that he did in fact take cylinders to The Professional Body Shop and had Mr. Smith remove the original owners name from the shoulders and neck rings and bondo over the depressions and re-paint them (Oral statements, exhibit 8).

When cylinders have been subjected to grinding, the abuse is unknown as to the depth of the grinding, heat temperature generated and/or any direct heat damage. The wall thickness may also be affected. All of these issues are unknowns which should be addressed adequately by inspecting and retesting prior to the next filling and shipping. Mr. Schwartz knew the conditions of the cylinders and had them re-filled without further inspection or retesting.

According to 180.205(d)(1)&(3), a cylinder must be tested and inspected prior to further use...when the cylinder shows evidence of dents...abraded areas...or any other condition that might render it unsafe for transportation and when the cylinder shows evidence or is "known to have been over-heated". Further, 173.301(a)(2) states that a filler cannot fill a tank without performing a visual inspection to determine condition, as noted above. In this case, the cylinders had the abrasive areas filled with bondo and repainted to hide such abuse, thus the filler would not have known the past condition.

Also, under 173.301(e), due to the alleged theft, the original owners, Airgas, did not give Balloon Innovations authority to fill their (Airgas) tanks (exhibit 11).

A letter of corrective action (exhibit 12), dated January 20, 2004, was received from Mr. Swartz. He states the actions he took following the police investigation and shows a letter from BOC gases as to what was done with



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49 CFR Section: 171.2(a), 173.301(a)(2), 173.301(e) and 180.205(d)(1)&(3).	
Exhibit Number 1 through 12.	

cylinders he had at the time and any others he has come in contact with since then. He states that he will continue to send them to BOC gases as he comes across them.



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Violation Number: 2	Number Discovered: 1
49 CFR Section: 171.2(a), 172.201(d) and 172.604(a)&(b).	
Exhibit Number 1 through 12.	

Offering for transportation in commerce, hazardous materials, Helium, compressed, 2.2, UN1046, accompanied by shipping papers, which contained an emergency response telephone number of a party who did not accept responsibility for providing information, nor could that party listed provide any detailed information concerning the hazardous materials, in violation of 49 CFR, §§ 171.2(a), 172.201(d) and 172.604(a)&(b).

During the compliance inspection of Balloon Innovations, Inc., (BII), inspector Stevens requested shipping papers for the cylinders transported by BII on their two trucks (exhibit 9). Mr. Schwartz provided one to the inspector. The shipping paper was dated January 22, 2004 (exhibit 10). It shows transportation of a total of 24 cylinders of Helium, compressed, 2.2, UN1046.

The telephone number "1-800-424-9300" for Chemtrec was listed for emergency response. The inspector asked Mr. Schwartz if he was registered with Chemtrec to use their number for emergency response. He stated he was not registered with them (Oral statement, exhibit 8). Inspector Stevens verified with Chemtrec that BII was not registered with them.

According to 172.604(a)&(b), shipping papers listing hazardous materials are required to provide a 24 hour emergency response telephone number for use in the event of an emergency involving the hazardous material. The telephone number must be monitored at all times the hazardous material is in transportation by a person who can provide emergency information about the hazardous material being shipped, or who can immediately connect the caller to such a person.

A letter of corrective action was received (exhibit 12), dated February 20, 2004, from Mr. Schwartz. He shows where he is using his office telephone number as the emergency contact number since all his transportation is done by his employees during normal business ours. He further states that each truck and the office staff now have copies of the NA ERG Guidebook.



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Violation Number: 3	Number Discovered: 1
49 CFR Section: 171.2(a), 107.601(a)(6) and 107.608(a)&(b).	
Exhibit Number 1 through 12.	

Offering for transportation in commerce a hazardous material, Helium, compressed, 2.2, UN1046, in a quantity requiring placarding, while failing to register as a shipper of hazardous materials, in violation of 49 CFR 171.2(a), 107.601(a)(6) and 107.608(a)&(b).

During the inspection, inspector Stevens obtained from Mr. Schwartz, a shipping paper (exhibit 10), dated January 22, 2004. The shipment was for 24 cylinders marked 3AA, containing Helium, compressed, 2.2, UN1046, for an approximate weight of at least 2400 pounds. This weight was also expressed by Mr. Schwartz. The inspector also photographed BII's truck containing approximately twenty cylinders awaiting delivery, with the truck properly placarded (exhibit 9).

The inspector asked Mr. Schwartz for his current shipper's registration with the Associate Administrator for Hazardous Materials Safety, which is required for shipments which require placarding, according to 107.601(a)(6) and 107.608 (a)&(b). Mr. Schwartz stated the company was not currently registered with the DOT (Oral statement, exhibit 8).

According to 172.504(c)(1), placarding is required for shipments of non-bulk containers weighing a total of 1001 pounds or more.

A letter of corrective action was received (exhibit 12), dated February 20, 2004 from Mr. Schwartz. He has provided a copy of the check stub to the US Dept of Transportation for \$150 for registration. Inspector Stevens verified through the Registration Office in Washington DC that BII was currently registered.



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Violation Number: 4	Number Discovered: 1
49 CFR Section: 171.2(a), 172.702(a) and 172.704(a).	
Exhibit Number 1 through 12.	

Allowing employees to perform a function subject to the requirements of federal hazardous materials regulations when the employees had not received hazardous materials general awareness, function specific or safety training as required by 172.704(a)(1)(2)&(3), in violation of 49 CFR, 171.2(a), 172.702(a) and 172.704(a).

Hazardous materials general awareness training documents and records were requested on two employees associated with the shipping, handling and transporting of hazardous materials. Function specific training documents and records were requested on the same two employees responsible for the documenting the shipping papers. General safety training documents were also requested concerning OSHA related HazComm and Right to Know programs. Hazardous materials training is required by 172.704(a)(1)(2)&(3).

A sample shipping paper shows a shipment of 24 cylinders containing Helium, compressed, 2.2, UN1046 (exhibit 10).

Mr. Schwartz stated that he had not conducted any hazardous materials training, as required by the CFR 49 requirements, with his employees (Oral statement, exhibit 8).

A letter of corrective action was received (exhibit 12), dated March 1, 2004 from Mr. Schwartz. He has provided training documents for general awareness training.



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Violation Number: 5	Number Discovered: 1
49 CFR Section: 171.2(a) and 172.201(e).	
Exhibit Number 1 through 12.	

Offering and transporting in commerce hazardous materials, Helium, compressed, 2.2, UN1046, accompanied by shipping papers, while failing to maintain shipping papers for 375 days, as required in 172.201(e), in violation of 49 CFR, §§ 171.2(a) and 172.201(e).

During the inspection of the shipping paper Mr. Schwartz provided (exhibit 10), inspector Stevens asked him for past dated ones. Mr. Schwartz stated he does not keep the bills of lading after transportation is over (Oral statement, exhibit 8).

The inspector informed him of the requirement to maintain the shipping papers for 375 days, as required by 172.201(e).

A letter of corrective action was received (exhibit 12), dated February 20, 2004 from Mr. Schwartz. He states in his letter that he is now maintaining the shipping papers as required.



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Carriers Used:

Is Shipper a Private Carrier Yes
Is Shipper Interstate: No

Does Shipper offer by Air: No
Does Shipper offer by Water: No

Mode:	Name and Address:
Hwy	Own Trucks

Customers (Consignees):

Packaging:	Name and Address:
	Local Car Dealerships & assorted businesses Atlanta, GA area

Container Suppliers:

Type:	Name and Address:	Container/Configuration:



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Raw Material / Outside Service Suppliers:

Material:	Name and Address:

Process Summary

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<u>OHME Files</u>	Exhibit Number:

<u>AAHMS Files</u>	Exhibit Number:

Additional Information

Photographed cylinders, by the inspector, do not show substantial grinding to a depth which might cause problems. The depth wasn't even below the stamped lettering itself.

Grinding on shoulder produces unknown heat stress and possibly grinding to a depth which may render the cylinder weaker under either situation.



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Exhibit Summary:

Respondent:		City, State:
#	Evidence	Obtained
1	Exit Briefing, dated January 23, 2004.	William Stevens, Sr. Hazardous Materials Enforcement Specialist, OHME, Southern Region
2	E-mail, Aigas	Sam Thompson, Vice President, Airgas South
3	Photos, Cylinders	William Stevens At Airgas
4	Police Report	Sam Thompson
5	Cylinder Serial Numbers	Sam Thompson
6	Oral Statements, dated December 31, 2003	Willie Smith, Owner, Professional Body Shop
7	Invoices, Cylinder work	Willie Smith
8	Oral Statements, dated January 23, 2004.	Neil Schwartz, President, Balloon Innovations, Inc.
9	Photo, Cylinders at Balloon Innovations	William Stevens
10	Shipping paper, dated January 22, 2004.	Neil Schwartz.
11	E-mail, dated February 23, 2004.	Sam Thompson, Airgas South.
12	Letters of Corrective Action, dated February 20 & March 1, 2004	Neil Schwartz.



U.S. Department of
Transportation

Research and
Special Programs
Administration

Office of Hazardous
Materials Enforcement
Southern Region

U.S. DOT/RSPA/OHME
1701 Columbia Ave, (DHM-46)
College Park, Georgia 30337
(404) 305-6120

EXIT BRIEFING

COMPANY NAME BALLOON INNOVATIONS, Inc. DATE 1/23/04

ADDRESS 3908 Shirley Dr., Atlanta, GA 30336

NAME OF INDIVIDUALS RECEIVING THE BRIEFING:

Name: NEIL SWAR SCHWARTZ Title: PRESIDENT

Name: _____ Title: _____

Name: _____ Title: _____

This has been a compliance inspection conducted in accordance with Title 49 U.S.C. Section 5121(c). This exit briefing addresses only the areas noted, and it is not a finding of general compliance in any other areas covered by the Hazardous Materials Regulations that were subject to the inspection.

During the course of the inspection the following probable violations of 49 CFR and/or quality control items were noted:

PROBABLE VIOLATIONS:

Section: 171.2(a), 107.601(a)(6), 107.608(a) + (b)

Explanation:

Shipping a HAZMAT, Helium, Compressed, 2.2, UN1046
in a quantity requiring placarding while failing to be
registered with the US DOT/RSPA office for shipping
a H.M.

Ex: Photos, JAA 2015 gyls + BOL dated 1/22/04

Section: 171.2(a), 172.201(d) + 172.604(c)

Explanation:

Shipping a HAZMAT, Helium, Compressed, 2.2, UN1046,
with a shipping paper listing the emergency response
phone number of ChemTrec 1-800-424-9000,
when the sh not registered with them for their
services.

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REPORT NUMBER: 04465005
EXHIBIT NUMBER: 1
PAGE NUMBER 1 OF 3



PROBABLE VIOLATIONS:

Section: 171.2 (b), 172.704 (a)

Explanation:

4 Failure to provide HM Training to two employees who handle, load & Transport HM, in the areas of general awareness, function specific for documenting BCL, & general safety.

Section: 171.2(a), 173.301(a)(2), 173.301(e), 180.205(d)(1) & (3) +

Explanation: ~~180.205(d)(1)~~

Causing cylinders to be grinded upon in the shoulders & neck ring areas & filling with a HAZ MAT without testing to determine new wall thicknesses as well as general condition.

1. Grinding causes thinner walls & unknown heat affects.
2. Not informing cyl filler stations that cyl had been grinded upon & thus condition of safe cyl was unknown as to abuse.
3. Grinding changes cyl condition which could render it unsafe.

Section: 4- ~~Causing~~ Cyl to be filled & Transported without the

Explanation:

owners permission. Ex: ~~the~~ Cyls Belonging to AIR GAS mobile, Ga, which had the owners name "AIR GAS" removed by grinding.

U.S. DOT/RSPA/OHME/SOUTHERN REGION

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EXHIBIT NUMBER: 1

PAGE NUMBER 2 OF 3

Section: 172.201(e)

Explanation:

5

Failing to maintain shipping papers for 375 days following delivery.

* Verbal statement from Mr Schwartz that these are not being maintained.



This document is not a final report. The information gathered at this inspection and any probable violations noted will be reviewed prior to finalizing the report. Probable violation(s) may be removed or others may be added during this review. In addition, quality control items may be revised to become probable violations during this review.

Upon determination that a probable violation exists, the Associate Administrator for Hazardous Materials Safety is authorized to impose certain sanctions, including warning letters, compliance orders, and civil penalties. In addition, court actions, including injunctive or criminal proceedings, may be initiated. Title 49 U.S.C. Sections 5123 and 5124 provide for civil and criminal penalties for violation of the Hazardous Materials Regulations.


A civil penalty of not more than \$32,500, but not less than \$275, per violation may be imposed through administrative proceedings initiated by the Office of Chief Counsel of the Research and Special Programs Administration. When a criminal violation has been determined by a court, a fine, or imprisonment for not more than 5 years, or both, may be imposed for each violation.

X The inspector does not determine which sanction, if any, may be imposed and cannot provide information concerning what proceedings will be initiated or sanctions imposed.

Documentation of corrective action submitted in writing to the inspector within 30 days of the inspection may be considered for mitigation should the sanction imposed result in the issuance of a notice proposing a civil penalty. However, any documented corrective action would not eliminate or preclude the initiation of a civil penalty proceeding, a finding of violation, or assessment of a civil penalty.

The Small Business and Agricultural Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about federal agency enforcement activities. The Ombudsman will annually evaluate these activities and rate each agency's responsiveness to small business. If you wish to comment on the inspection and related activities of the Research and Special Programs Administration, call 1-888-REG-FAIR (1-888-734-3247).

I certify that I received the above briefing as it appears on this form. I understand that by signing this form I am in no way expressing agreement with its contents. I am only acknowledging that I have reviewed it and have received a copy.



Signature of Inspector(s)

Date: 1/23/04

X 

Signature of Representative(s)

Date: 1/23/04

U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
EXHIBIT NUMBER: 1
PAGE NUMBER 3 OF 3

Johnny Barnett

From: Sam Thompson
Sent: Tuesday, May 06, 2003 10:11 AM
To: Johnny Barnett
Subject: FW: Violation

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EXHIBIT NUMBER: 2
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Here it is. Thanks.

Sam Thompson
Airgas South
Area Vice President - Georgia
678-776-0023 Cell
240-525-0868 Fax

-----Original Message-----

From: Sam Thompson
Sent: Monday, April 21, 2003 7:56 PM
To: 'John.heneghan@respa.dot.gov'
Subject: Violation

(G MURRAY @CISLDC.US)

John,
Here is a recap of our conversation from earlier today:

Airgas has a customer, Balloon Innovations (BI), located at 3908 Shirley Drive S.W., Atlanta, GA 30336, phone number 404-696-9548, owned by Neal Schwartz. We discovered through an ex-employee of BI that one of our drivers was selling helium cylinders for cash (paid by a BI check) off of his route truck. Upon talking to the ex-employee, we were informed of an employee of BOC Gases also selling for cash from his route truck. We have been picking up empty cylinders for a while which we had not delivered to this customer, as evidenced by previous sales history.

This ex-employee also informed us that there were cylinders whose names were being ground down and remarked as BI cylinders. We were able to make contact with another ex-employee who confirmed what we had been told but also added more information. Cylinders of helium are purchased from at least the two drivers (paid for with a company check @ \$10.00 per cylinder delivered) and there have been times when at least one of the drivers has delivered cylinders to a body shop where they are ground and covered over with bondo (?) and painted to appear as unaltered cylinders. This hides the name of the cylinder's owner on the shoulder and the neck ring is ground and restamped with BI or BII.

We were suspicious of some cylinders last Friday so our manager in Marietta, (Johnny Barnett) after we made our usual delivery and picked up empty cylinders for refill, noticed one of the cylinders was stamped with the BI on the neck ring but the cylinder was clearly marked with the Air Products name on the shoulder, a company that Airgas purchased on 3-1-02. * We then used a wire brush on the area just below the serial number and discovered that we were in possession of 2 Holox cylinders, 2 BOC cylinders and one additional Airgas cylinders, all which had been ground and covered with Bondo and painted to appear legitimate. These cylinders are in our possession and are secured in a locked area. We have been told that there are other cylinders from other gas companies that have been altered but we currently do not have any proof of this.

The second ex-employee has told us that there have been a lot of cylinders that have flowed to the body shop. The owner of the shop is also paid per cylinder for each one that he works on, again with a company check. We feel as though, judging from the number of customer owned cylinders that we have observed, that there are hundreds of cylinders that have been altered and the ownership name changed. With the cost of the cylinders, we feel as though the value of these cylinder exceeds \$50,000, not counting the value of the lost revenue on rent, the content of the cylinders and the extra expense that our companies and others have spent to buy additional assets to replace missing cylinders.

We are working on getting a partial list of customers served by BI (from former employees) and will make that available as soon as possible. One other discovery is that all employees are paid a lump sum with zero taxes, fica or social security paid. There is a firm from Florida that is used to "cook the books" (as stated by one of the former employees) and apparently covers for the owner. I have conversed with a BOC representative and my Marietta store manager with the Holox regional manager. Both companies are in a wait and see mode, willing to follow our lead. Our intentions would be to prosecute to the fullest all parties involved (we have started a procedure against our employee but will not finalize until actions against Mr. Schwartz is taken).and BOC is willing to do the same.



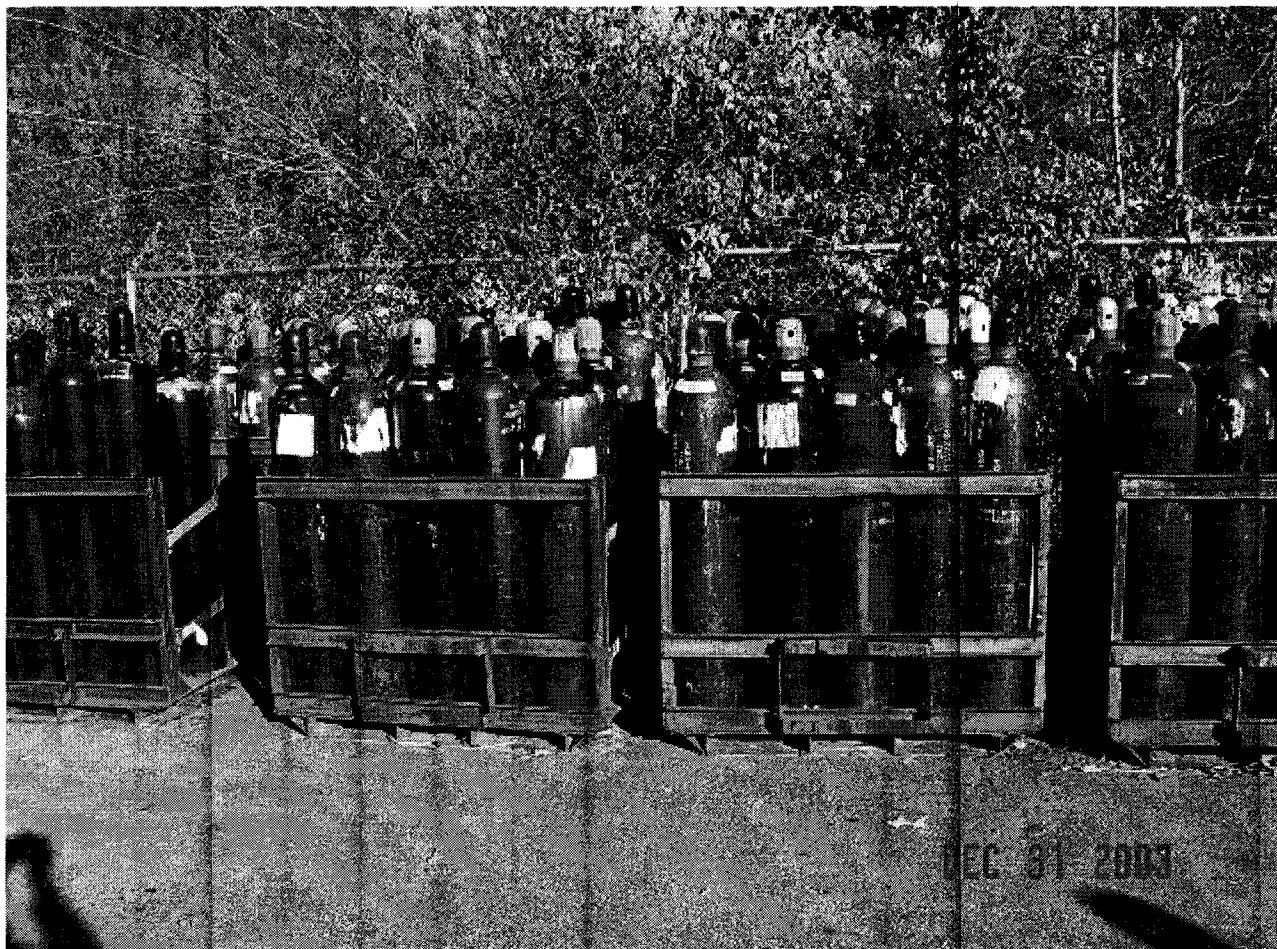
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Photograph Summary Sheet

Exhibit Number: 3 - 1 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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Photograph Summary Sheet

Exhibit Number: 3 - 2 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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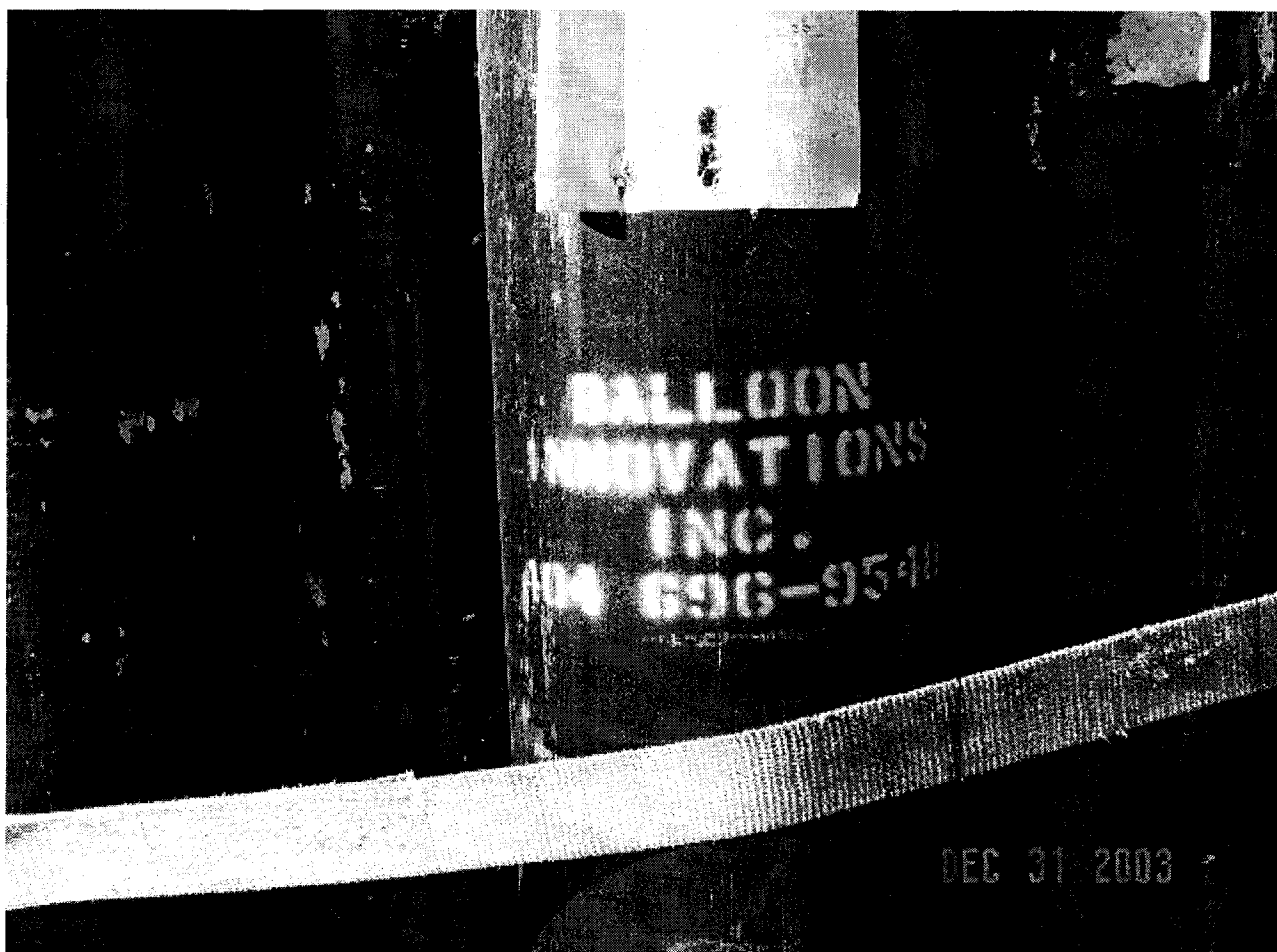
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Photograph Summary Sheet

Exhibit Number:	3 - 3 of 12.	Photographer:	William B. Stevens
Location:	Balloon Innovations, Inc.	Date:	12/31/2003
City, State:	Atlanta, GA	Camera Type:	Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 4 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
---	--------------------------------



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 5 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 6 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 7 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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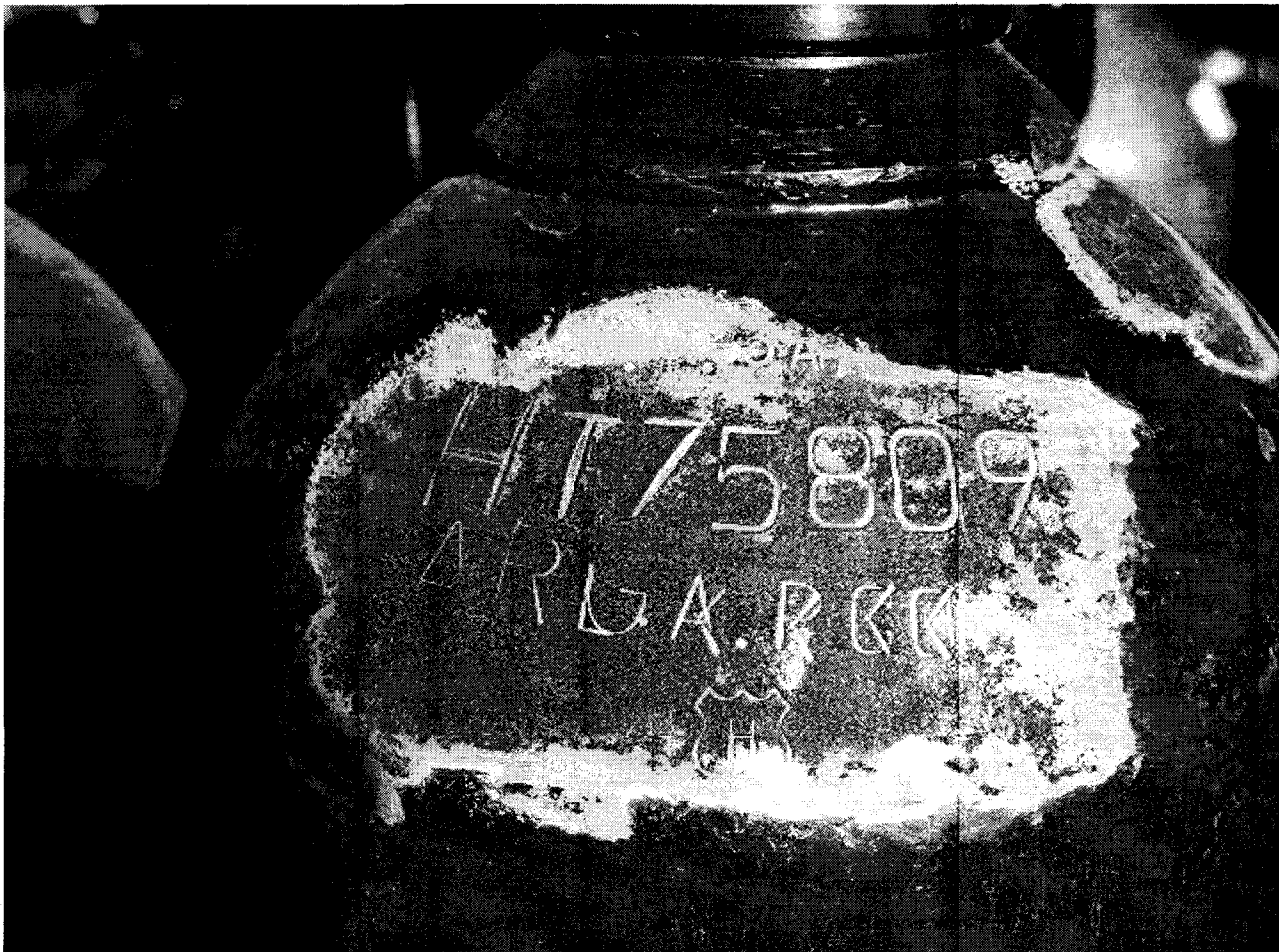
INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 8 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 9 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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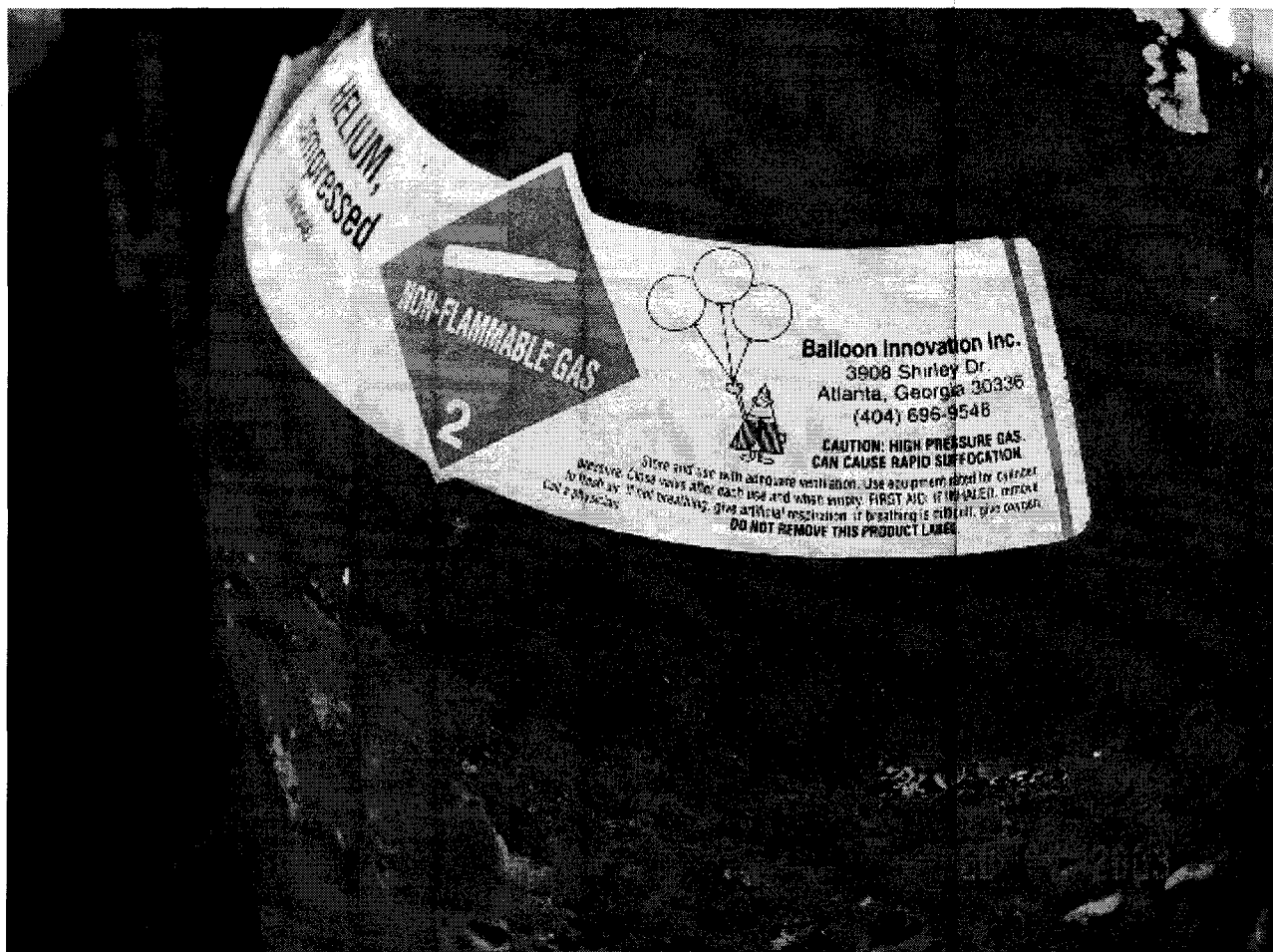
INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 10 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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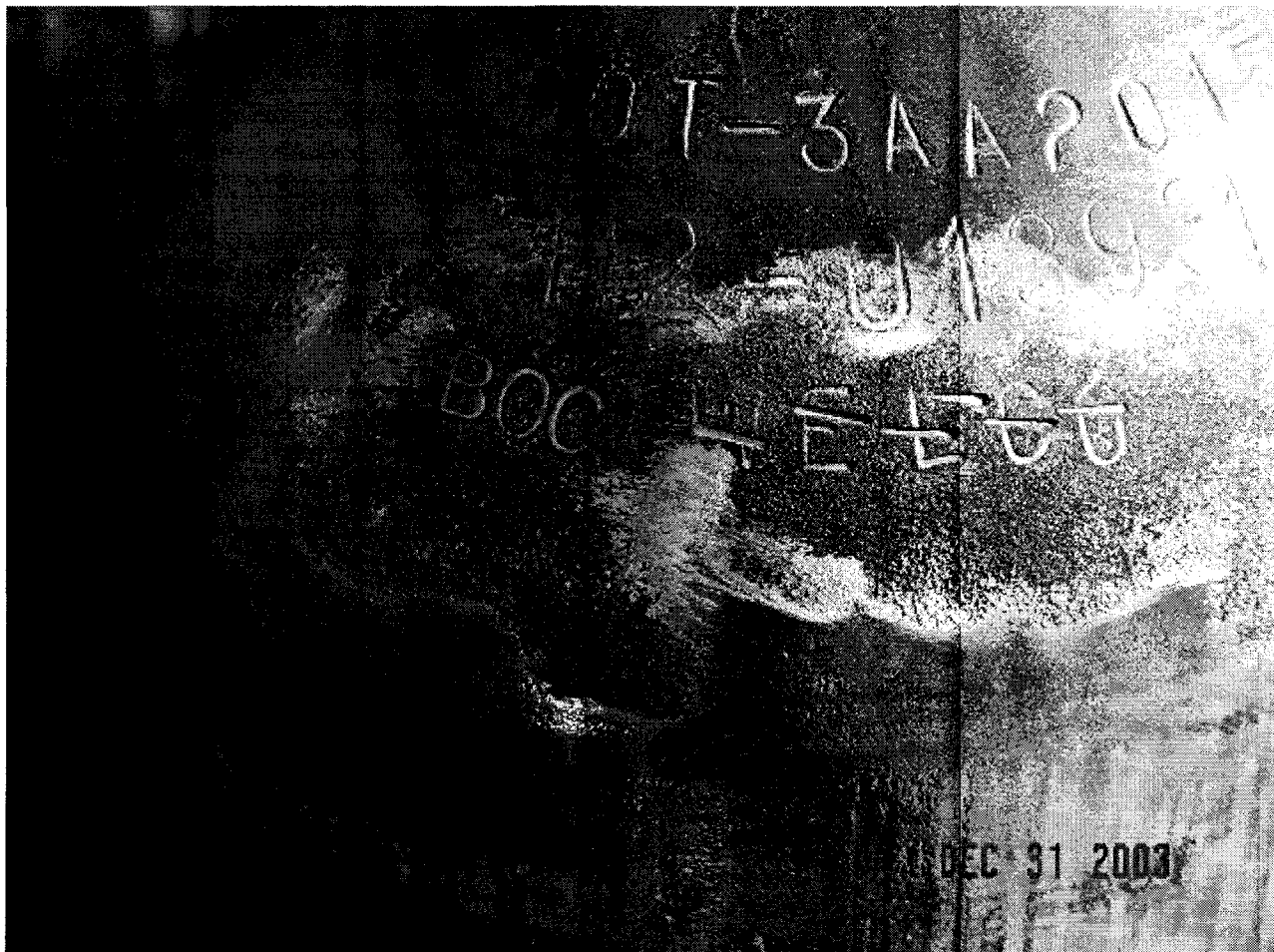
INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 11 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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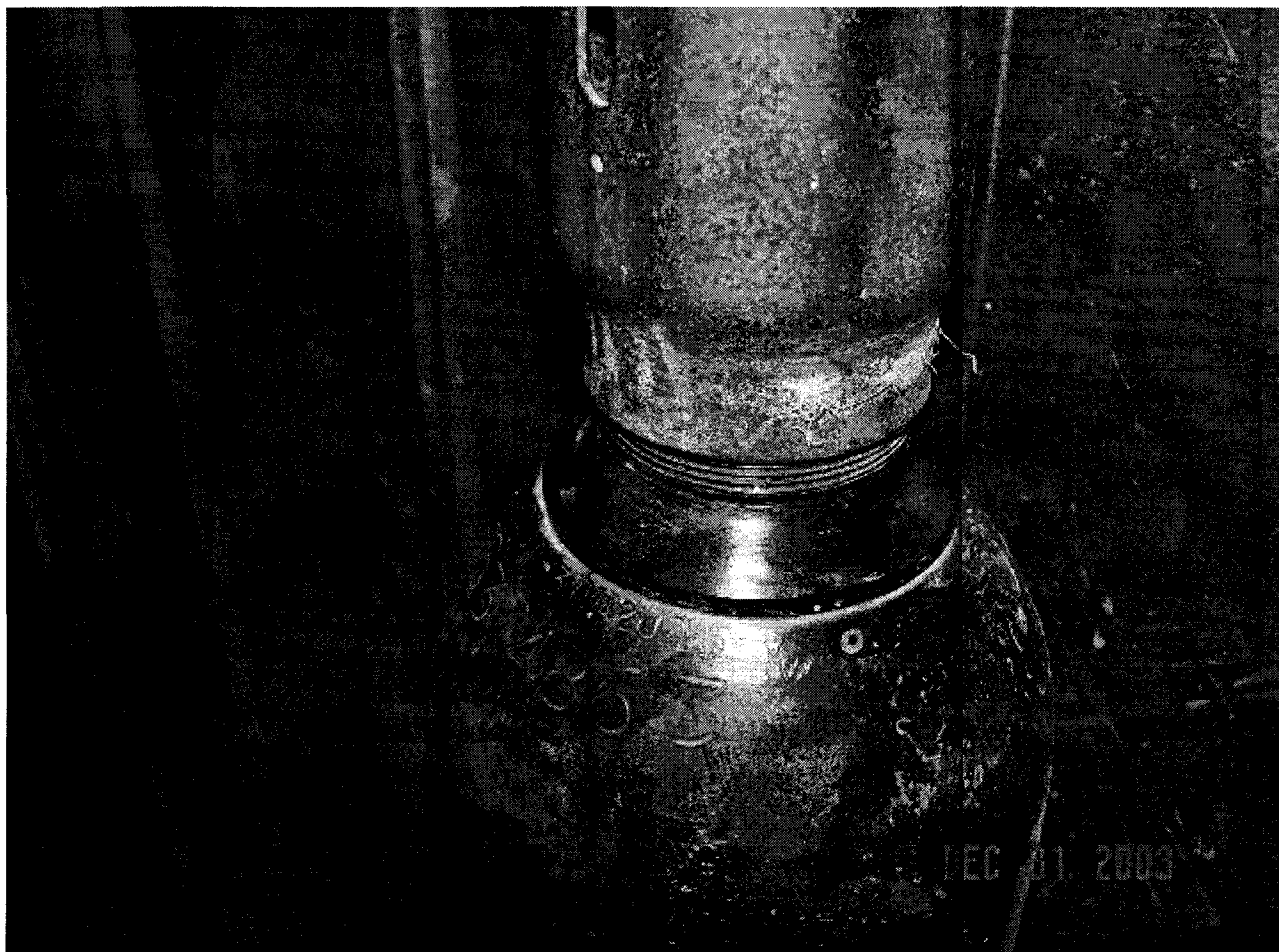
INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 3 - 12 of 12.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 12/31/2003
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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1. Incident / CICA No.
03 152 11792. Complainant Name: (L,F,M, Suffix / Business)
AIRGAS SOUTH

3. Date of Report:

Reserved:

INVESTIGATIVE DETAILS.

ON OR ABOUT MAY 8, 2003 JOHNNY BARNETT CAME TO THE FRAUD SQUAD OFFICE IN REFERENCE TO THE THEFT OF PROPERTY FROM HIS COMPANY. BARNETT TOLD ME THAT NEIL SCHWARTZ WAS THE OWNER OF A COMPANY CALLED BALLOON INNOVATIONS (BI) LOCATED AT 3908 SHIRLEY DRIVE SW, FULTON COUNTY. BARNETT HAD RECEIVED INFORMATION FROM ONE OF ACCUSED DRIVERS THAT HE WAS HAVING EMPLOYEES TAKE AIRGAS GAS CYLINDERS. THE CYLINDERS WERE DELIVERED TO A BODY SHOP CALLED, PROFESSIONAL BODY SHOP, LOCATED AT 2770 CAMPBELLTON ROAD SW ATLANTA. JOHNNY BARNETT WENT TO THE BODY SHOP TO VERIFY THAT THE CYLINDERS WERE IN THE BODY SHOP. BARNETT OBSERVED ABOUT 40 GAS CYLINDERS INSIDE THE BODY SHOP. BARNETT HAD RECEIVED INFORMATION THAT ACCUSED PAID THE BODY SHOP TO GRIND OFF THE COMPANY NAME ON THE CYLINDERS AND TO REPAINT THEM WITH BALLOON INNOVATIONS COMPANY COLOR WHICH IS BROWN.

SEARCH.

ON 5-8-03 I OBTAINED A FULTON COUNTY SEARCH WARRANT FOR THE PROFESSIONAL BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SW ATLANTA.

ON 5-8-03 ABOUT 1300 HRS. I EXECUTED THE SEARCH WARRANT WITH OTHER OFFICERS AND WITH JOHNNY BARNETT AS AN EXPERT WITNESS. INSIDE THE BODY SHOP I RECOVERED 44 GAS CYLINDERS TOTAL. THIRTY ONE OF THE CYLINDERS BELONGED TO AIRGAS SOUTH COMPANY. THE OTHERS BELONGED TO OTHER COMPANIES. ALL THE TANKS WERE CONFISCATED AND RELEASED TO AIRGAS TO BE HELD AS EVIDENCE. JOHNNY BARNETT IDENTIFIED THE TANKS AS HIS PROPERTY AND VERIFIED THAT THEY WERE STOLEN.

INTERVIEW OF WILLIE SMITH, OWNER OF BODY SHOP.

ON 5-8-03 I INTERVIEWED THE OWNER OF THE PROFESSIONAL BODY SHOP LOCATED AT 2770 CAMPBELLTON RD. SW ATLANTA. THE OWNER IS WILLIE FRED SMITH 1968 MARVIN LANE SW ATLANTA, DOB. 8-16-54, GA. DL# 002476158. SMITH ADVISED ME THAT ABOUT TEN YEARS AGO HE STARTED DOING BUSINESS FOR A COMPANY CALLED BALLOON INNOVATIONS OWNED BY NEIL SCHWARTZ. HE SAID THAT NEIL HIRED HIM TO GIND THE COMPANY NAME OFF OF GAS CYLINDERS, BONDO THEM AND THEN PAINT THEM BROWN. SMITH SAID THAT ABOUT EVERY TWO MONTHS NEIL WOULD HAVE 25 TO 40 TANKS DELIVERED TO HIS BODY SHOP AND SMITH WOULD GIND THEM DOWN AND REPAINT THEM. NEIL WOULD HAVE THE CYLINDERS PICKED UP AND SMITH WOULD GET PAID WITH A CHECK FROM BALLOON INNOVATIONS. SMITH SHOWED ME THREE INVOICES THAT WERE FOR THE WORK HE DID FOR BALLOON INNOVATIONS. SMITH HAD THE INVOICE FOR THE TANKS THAT I RECOVERED.

SMITH TOLD ME THAT HE DID NOT KNOW WHERE NEIL SCHWARTZ HAD GOTTEN THE TANKS NOR DID HE KNOW THAT THEY WERE STOLEN. SMITH SIGNED A WRITTEN STATEMENT.

ARREST WARRANT.

ON 7-2-03 A FULTON COUNTY ARREST WARRANT WAS ISSUED FOR THE ARREST OF ACCUSED.

THE UNDERGROUND, BEING DULY SWORN, UPON HIS OR HER OATH, DEPOSES AND STATES THAT THE FOREGOING IS TRUE, CORRECT, COMPLETE AND LEGIBLE TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

6. Referred to:

<input type="checkbox"/> Zone	<input type="checkbox"/> RD	<input type="checkbox"/> HR	<input type="checkbox"/> Vice	<input type="checkbox"/> Hom	<input type="checkbox"/> Burg	<input type="checkbox"/> Youth
<input type="checkbox"/> AHA	<input type="checkbox"/> FV	<input type="checkbox"/> Fug	<input type="checkbox"/> SD	<input type="checkbox"/> Sex	<input type="checkbox"/> Larc	<input type="checkbox"/> PD
	<input type="checkbox"/> CP	<input type="checkbox"/> Narc	<input type="checkbox"/> STS	<input type="checkbox"/> Rob	<input type="checkbox"/> AT	

7. Reporting Office
INV. R.M. BATC9. SWORN TO AT
THIS ____ DAY

12. Supervisor's S

10. Reviewer's Signature

11. APD ID No.

U.S. DOT/RSPA/OHME/SOUTHERN REC
REPORT NUMBER 04465005
EXHIBIT NUMBER: 4
PAGE NUMBER 1 OF 5

SEARCH WARRANT

IN THE MAGISTRATE COURT OF FULTON COUNTY
STATE OF GEORGIA

Docket No. _____

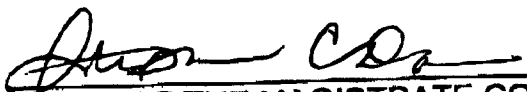
TO ALL PEACE OFFICERS OF THE STATE OF GEORGIA:

Affidavit having been made before me by INV. R.M.BATCHELOR, an officer charged with the duty of enforcing the Criminal Laws, that he/she has reason to believe that in Fulton County, Georgia on the following described person, premises, or property: PROFESSIONAL BODY SHOP 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, GEORGIA, there is now located certain instruments, articles, persons, or things, namely: AIR OR GAS CYLINGERS, which is being held in violation of: THEFT BY RECEIVING STOLEN PROPERTY, 16-8-7..

Based upon the affidavit given under oath or affirmation and all other evidence given to me under oath or affirmation, I am satisfied that there is probable cause to believe that a crime is being committed or has been committed and that the property described above is presently located on the person, premises, or property described above.

You are hereby commanded to enter, search and seize within ten (10) days of this date, the person, premises, or property described above. A copy of this Warrant is to be left with the person searched, or if no person is available, on the premises or vehicle searched, and a written return, including an inventory or any things seized, shall be made before me or a Court of competent jurisdiction without unnecessary delay after the execution of this Search Warrant.

SO ORDERED this the 8th day of May 2005 at 10:30 AM / PM.



JUDGE OF THE MAGISTRATE COURT OF FULTON
COUNTY, STATE OF GEORGIA

U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER: 04465005

EXHIBIT NUMBER: 4

PAGE NUMBER 2 OF 5

PAGE TWO.

**SEARCH WARRANT AFFIDAVIT.
TO SEARCH 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON
COUNTY, GEORGIA.:**

YOUR AFFIANT IS A GEORGIA CERTIFIED POLICE OFFICER EMPLOYED WITH THE ATLANTA POLICE DEPARTMENT. AFFIANT HAS BEEN EMPLOYED AS AN ATLANTA POLICE OFFICER FOR THE LAST 29 YEARS. AFFIANT IS ASSIGNED TO THE LARCENY/FRAUD SQUAD AND HAS TWENTY YEARS OF EXPERIENCE. AFFIANT HAS INVESTIGATED THOUSANDS OF LARCENY / FRAUD CASES AND IS FAMILIAR WITH THE METHODS OF OPERATION OF LARCENY AND FRAUD PERPETRATORS. AFFIANT HAS OBTAINED AND EXECUTED NUMEROUS WARRANTS ON FRAUD AND LARCENY INVESTIGATIONS.

ON OR ABOUT 5-6-03 JOHNNY BARNETT, BRANCH MANAGER FOR AIRGAS SOUTH COMPANY, HEREAFTER REFERED TO AS (AIRGAS), CAME TO ME IN REFERENCE TO A THEFT ISSUE. BARNETT ADVISED ME THAT HE HAD RECEIVED INFORMATION FROM A TIPSTER WHOM IDENTIFIED HIMSELF AS NICKY. NICKY ADVISED BARNETT THAT HE HAD WORKED FOR A CUSTOMER OF AIRGAS KNOWN AS BALLOON INNOVATIONS (BI) LOCATED AT 3908 SHIRLEY DRIVE SW ATLANTA. THE OWNER IS NEAL SCHWARTZ. NICKY TOLD BARNETT THAT AIRGAS GAS CYLINDERS WERE BEING STOLEN FROM VARIOUS LOCATIONS IN THE METRO AREA BY BI EMPLOYEES AND AIRGAS EMPLOYEES. THE CYLINDERS WERE BEING PURCHASED BY NEAL SCHWARTZ BY CHECK. THE CYLINDERS WERE THEN TAKEN TO A BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON COUNTY, GEORGIA. THE NAME OF THE BODY SHOP IS BELIEVED TO BE PROFESSIONAL AUTO BODY SHOP. THE SHOP IS OWNED BY A WILLIE SMITH. THE BODY GRINDS THE COMPANY NAMES OFF OF THE CYLINDERS, BONDO'S THEM AND THEN PAINTS THEM FOR SCHWARTZ. NICKY TOLD BARNETT THAT THE BODY SHOP HAS NUMEROUS TANKS, RIGHT NOW.

ON OR ABOUT 4-25-03 JOHNNY BARNETT WENT TO THE BODY SHOP LOCATED AT 2770 CAMPBELLTON ROAD SOUTHWEST ATLANTA, FULTON COUNTY, GEORGIA ON A PRETEXT. BARNETT OBSERVED OVER 40 CYLINDERS IN THE BODY SHOP. THEY HAD BEEN REPAIRED AND PAINTED AS NICKY HAD INFORMED BARNETT.

DURING THE LAST 10 DAYS JOHNNY BARNETT HAS MONITORED THE TANKS COMING FROM BI. BARNETT HAS FOUND SEVERAL TANKS THAT BELONGS TO AIRGAS THAT HAVE BEEN BONDOED AND REPAINTED.

JOHNNY BARNETT ADVISED AFFIANT THAT HIS COMPANY DOES NOT SELL THE CYLINDERS THAT ARE IN QUESTION IN THIS CASE. AIRGAS NEEDS ALL THE CYLINDERS THAT THEY CAN GET.

AFFIANT REQUEST THAT JOHNNY BARNETT AND OTHERS BE ALLOWED TO ASSIST IN THE SEARCH IN THIS CASE. MR. BARNETT HAS THE EQUIPMENT TO AND KNOWLEDGE TO LOCATE AND UNCOVER HIS COMPANY NAME IN THE CYLINDERS AT THE BODY SHOP.

DUE TO THE ABOVE FACTS, YOUR AFFIANT HAS REASON TO BELIEVE AND DOES BELIEVE THAT THE ITEMS TO BE SEARCHED FOR WILL BE FOUND IN THE LOCATION TO BE SEARCHED AND REQUEST THAT A SEARCH WARRANT BE ISSUED.

Carly P. J. J. J.
SIGNATURE OF AFFIANT.

5-8-03
U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
EXHIBIT NUMBER: 4
PAGE NUMBER 3 OF 5

NO-KNOCK PROVISION (Not valid unless signed)

IT APPEARING from the aforementioned Affidavit that there are reasonable grounds to believe that the giving of verbal notice would greatly increase the officers' peril and/or lead to the immediate destruction of the instruments, articles, or things to be seized;

IT IS THEREFORE ORDERED that entry be made without knocking and the giving or verbal notice of the officers' authority and purpose.

SO ORDERED this the 8th day of May, 2003 at 10:47 AM PM.

[Signature]
JUDGE OF THE MAGISTRATE COURT OF FULTON
COUNTY, STATE OF GEORGIA

=====

RETURN OF SERVICE

[] This Search Warrant was not executed and is returned to the judicial officer who issued it.

[x] I executed this Search Warrant on the 8 day of May, 2003 at 11:00 AM PM
and searched the person, premises or property described in the warrant. A copy of this
warrant:

[x] Was left with WILLIAM SMITH
[] Was left in the following conspicuous place _____

because one was available to be given the warrant.

Attached hereto is an inventory consisting of 3 pages, of the instruments, articles, or things which
were seized pursuant to this Search Warrant. This inventory was made in the presence of
WILLIAM SMITH and I swear or affirm that this inventory is a true and detailed
account of all instruments, articles, or things seized pursuant to this Search Warrant.

[Signature]
AFFIANT

Sworn and subscribed to before me on this
the _____ day of _____

[Signature]
TITLE _____

U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
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U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
EXHIBIT NUMBER: 4
PAGE NUMBER 5 OF 5

JUANITA HICKS, CLERK OF SUPERIOR COURT OF FULTON COUNTY, GEORGIA

I, DO CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE, COMPLETE
AND CORRECT COPY OF THE ORIGINAL IN SAID CASE, AS APPEARS BY THE
ORIGINAL ON FILE IN THE OFFICE OF CLERK OF FULTON COUNTY, CRIMINAL
DIVISION, ATLANTA, GA.

WITNESS MY HAND AND SEAL OF SAID COURT THIS THE

15th DAY OF

20

DEPUTY CLERK

ARCO

15 TOTAL	200 500 cu ft.	X151268	100 cu ft	Y22641L
"	"	X190482	" "	TC-3AAM174
"	"	H2-018931	" "	784977
"	"	599845	" "	TC-3AAM174
"	"	380776	" "	Y-130121
"	"	N505951		
"	"	AF142607		
"	"	44851K		
"	"	L007300		
"	"	N101052		
"	"	667074		

TOTAL	HOLEX			
"	300 cu ft.	H0-009703	100 cu ft	285285D
	200 cu ft.	US-99113		
"	"	HAP-007852		
"	"	H0-2134805Y		
"	"	XH-71047		
"	"	L032355		
"	"	TC-3AAM174		
"	"	H0320210		
"	"	TW-H-716619		
"	"	2-3561		

U.S. DOT/RSPA/OHME/SOUTHERN REGION
 REPORT NUMBER: 04465005
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 PAGE NUMBER 1 OF 3

FOR THE U.S. DOT

ARG

1/ Total

100 cft

N-002388

200 cft

O-PPPIB5

" "

AF-318264

300 cft

HT 75809

Misc

TOTAL

14

200 cft

T18883

100 cft

1010497

" "

120

" "

C-1996

" "

BT 15464

" "

X21165

" "

REF 216

" "

H-12255

" "

59259-D

" "

B 3045

" "

A-825

" "

W-0153

" "

X-10490

" "

I 262

" "

U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER: 04465005

EXHIBIT NUMBER: 5

PAGE NUMBER 2 OF 3

See Item 13 at end

Liquid Air

2

200 cft
" "

T136883

1102115

U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER: 04465005

EXHIBIT NUMBER: 5

PAGE NUMBER 3 OF 3

Mr. [illegible]

U.S. Department of Transportation
Research & Special Programs Admin.
Office of Hazardous Materials Enforcement

Oral Interview

Type of Interview (Telephone or Personal): **Personal**

Place of Interview (Office or City, State): **Atlanta, GA**

Person Conducting Interview: William Stevens, OHME, SO

Person Being Interviewed: Mr. Willie Smith, Owner

Date: December 31, 2003

Type of Operation: Automobile Body Shop Repair

Name and Address of Firm: The Professional Body Shop
2770 Campbellton Rd.
Atlanta, GA 30311

Inspector Stevens inquired to Mr. Smith about the following:

Q. What did you do for Mr. Schwartz concerning cylinders?

A. I was directed to grind off any owners name from the cylinder shoulders and neck rings. Fill in any low places with bondo and repaint them black.

Q. How was this done?

A. I used a grinding wheel at first then later started using a grinding disc for better control.

Q. Did you do any stamping in the shoulders or neck ring to indicate BII?

A. No. No stamping was performed by my shop, only grinding.

U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
EXHIBIT NUMBER: 6
PAGE NUMBER 1 OF 1

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504



NAME Balloon Innovations PHONE _____ DATE 1-29-03

STREET _____ CITY _____

YEAR _____ COLOR _____ MAKE _____ MODEL _____

REGISTRATION NO. _____ SERIAL NO. _____ ODOMETER _____ ESTIMATE PREPARED BY _____

INSURANCE CO. _____ ADJUSTOR _____

REPLACE	REPAIR	DESCRIPTION	PARTS	LABOR	REFINISH	SUBLET
---------	--------	-------------	-------	-------	----------	--------

Refinish 28 bottles
29 x 6.00 Red's
4 x 7.50 Complete Refinish

29 x 6.00 174.00
4 x 7.50 30.00

204.00

Willie Smith

U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER: 04465005

EXHIBIT NUMBER: 7

TOTALS NUMBER 2 OF 12

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: _____

DATE: _____

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
TOTAL	\$	_____

ESTIMATE

PROFESSIONAL BODY SHOP
1000 Campbell Rd.

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504



NAME <i>Ballou Innovations</i>		PHONE	DATE <i>4-29-08</i>
STREET		CITY	
YEAR	COLOR	MODEL	
REGISTRATION NO.		ODOMETER	ESTIMATE PREPARED BY
INSURANCE CO.		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED

TOTAL PARTS	\$
TOTAL LABOR	\$
TOTAL REFINISH	\$
TOTAL SUBLET	\$
TAX	\$
	\$
TOTAL	\$

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504



NAME <i>Ballou Innovations</i>		PHONE	DATE <i>7-10-02</i>
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.	SERIAL NO.		ODOMETER
INSURANCE CO.			ESTIMATE PREPARED BY
		ADJUSTOR	

[illegible]

U.S. DOT/RSPA/OHME/SOUTHERN REGION

REPORT NUMBER:	04465005
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EXHIBIT NUMBER: 7

PAGE NUMBER 4 OF 12

TOTALS

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: Jerry Hall

DATE: _____

TOTAL PARTS	\$	
TOTAL LABOR	\$	
TOTAL REFINISH	\$	
TOTAL SUBLET	\$	
TAX	\$	
	\$	
TOTAL	\$	200.00

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504



NAME <i>Ballou Innovation</i>		PHONE	DATE <i>9-9-02</i>
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: _____

DATE: _____

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	_____

(404) 344-2504



NAME <u>Balloon Innovations</u>		PHONE	DATE <u>11-18-02</u>
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	
		OWNER	LABOR
		REFINISH	SUBLET

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED:

TOTAL PARTS	\$
TOTAL LABOR	\$
TOTAL REFINISH	\$
TOTAL SUBLET	\$
TAX	\$
	\$
TOTAL	\$

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504



NAME <i>Balloon Innovations</i>		PHONE	DATE <i>11-12-01</i>
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: LMH/val

DATE: _____

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	_____

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504

NAME <i>Ballou Travellers</i>		PHONE	DATE <i>4-21-99</i>
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: _____

DATE: _____

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	_____

ESTIMATE

PROFESSIONAL BODY SHOP

2770 Campbellton Rd.

Bldg. B

Atlanta, Ga. 30311

(404) 344-2504

NAME Ballons Linda		PHONE	DATE 10-6-98
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: _____

DATE: _____

TOTAL PARTS	\$	_____
TOTAL LABOR	\$	_____
TOTAL REFINISH	\$	_____
TOTAL SUBLET	\$	_____
TAX	\$	_____
	\$	_____
TOTAL	\$	90.00

ESTIMATE

PROFESSIONAL BODY SHOP
2770 Campbellton Rd.
Bldg. B
Atlanta, Ga. 30311
(404) 344-2504

NAME Balloons		PHONE	DATE 9-15-98
STREET		CITY	
YEAR	COLOR	MAKE	MODEL
REGISTRATION NO.		SERIAL NO.	ODOMETER
INSURANCE CO.		ESTIMATE PREPARED BY	
		ADJUSTOR	

[illegible]

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

AUTHORIZATION FOR REPAIR. You are hereby authorized to make the above repairs:

SIGNED: _____

DATE: _____

TOTAL PARTS	\$
TOTAL LABOR	\$
TOTAL REFINISH	\$
TOTAL SUBLET	\$
TAX	\$
	\$
TOTAL	\$

U.S. Department of Transportation
Research & Special Programs Admin.
Office of Hazardous Materials Enforcement

Oral Interview

Type of Interview (Telephone or Personal): **Personal**

Place of Interview (Office or City, State): **Atlanta, GA**

Person Conducting Interview: William Stevens, OHME, SO
Person Being Interviewed: Mr. Neil Schwartz, President
Date: January 23, 2004

Type of Operation: Cylinder Transporter

Name and Address of Firm: Balloon Innovations, Inc.
3908 Shirley Dr.
Atlanta, GA 30336

Inspector Stevens inquired to Mr. Schwartz about the following:

Q. Did you direct Mr. Smith to grind off the original owners names from the cylinder shoulder area and neck ring?

A. Yes. I had him grind them off, bondo in the depression and re-paint them black.

Q. Are you currently registered with Chemtrec to use their emergency services?

A. No.

Q. Are you currently registered with the US DOT for shipping hazardous materials in excess of 1001 lbs?

A. No.

Q. Have you performed any type hazardous materials training as required by the CFR 49?

A. No.

Q. How long do you maintain your shipping papers?

A. A few days until bills are paid.

U.S. DOT/RSPA/OHME/SOUTHERN REGION
REPORT NUMBER: 04465005
EXHIBIT NUMBER: 8
PAGE NUMBER 1 OF 1



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 9 - 1 of 3.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 01/23/2004
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
------------------------------------	-------------------------



INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
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Photograph Summary Sheet

Exhibit Number: 9 - 2 of 3.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 01/23/2004
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
------------------------------------	-------------------------



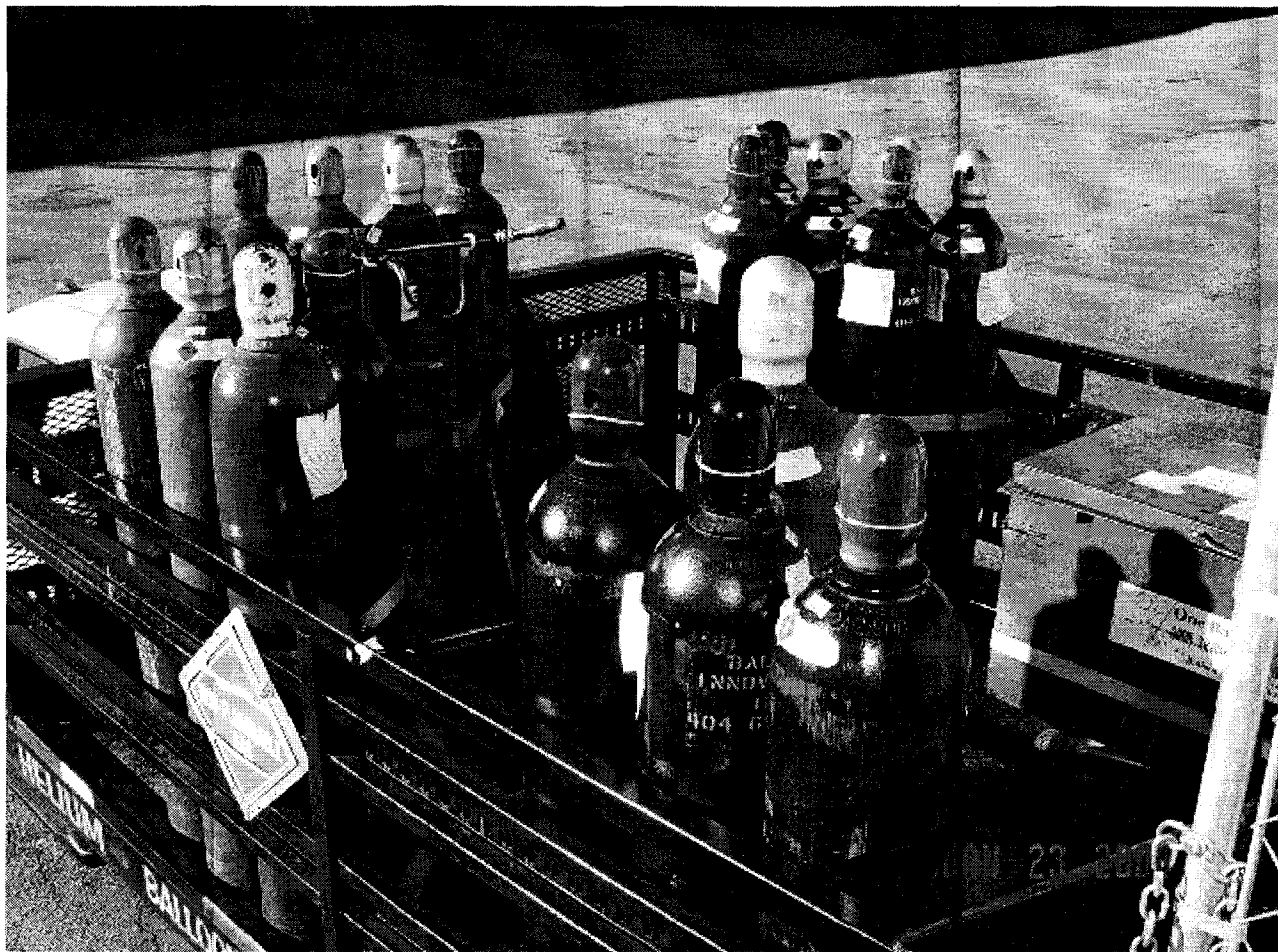
INSPECTION / INVESTIGATION REPORT

U. S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Enforcement

Name and Address Balloon Innovations, Inc. 3908 Shirley Dr. Atlanta, GA 30336 (404) 696-9548	Inspection Date(s) 01/23/2004
	DOT Registration(s)

Photograph Summary Sheet

Exhibit Number: 9 - 3 of 3.	Photographer: William B. Stevens
Location: Balloon Innovations, Inc.	Date: 01/23/2004
City, State: Atlanta, GA	Camera Type: Sony



Lead Inspector: William B. Stevens	Report Number: 04465005
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BALLOON INNOVATIONS, INC.
3908 SHIRLEY DRIVE
ATLANTA, GEORGIA 30336
404 696-9548

**FOR SPILL, LEAK OR EMERGENCY
DURING TRANSPORTATION**

CALL CHEMTREC - 1-800-424-9300
24 HRS PER DAY 7 DAYS PER WEEK

**HAZARDOUS
MATERIAL
MANIFEST**

DATE 1-22-2004

HAZ	PRODUCT	CLASSIFICATION	HAZ	CYL SIZE		OUT FULL	DAILY SALES SHIP NET	HAZ FULL	HAZ NET	HAZ FULL	HAZ NET
X	NITROGEN, COMPRESSED	12(NON FLAMMABLE GAS)	UN1066	230	H						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	291	T						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	291	T						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046		T						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	230	T						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	291	T	3	20	1	0	1	0
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K	21	10	20	0	20	0
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	220	K						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	110	S						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	110	S						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	80	Q						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	80	Q						
X	HELIUM, COMPRESSED	12(NON FLAMMABLE GAS)	UN1046	40	R						

U.S. DOT/RSPA/OHME/SOUTHERN REGION
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SIGNATURE _____ DATE _____

DUTY BEGUN _____ TIME _____
DUTY ENDED _____ TIME _____
TOTAL DUTY HOURS _____ TOTAL HOURS DRIVING _____
BEGINNING MILEAGE _____ ENDING MILEAGE _____ TOTAL MILEAGE _____

Stevens, William (Southern Region)

From: Sam Thompson [sam.thompson@airgas.com]**Sent:** Monday, February 23, 2004 12:00 PM**To:** Stevens, William (Southern Region)

Mr. Stevens,

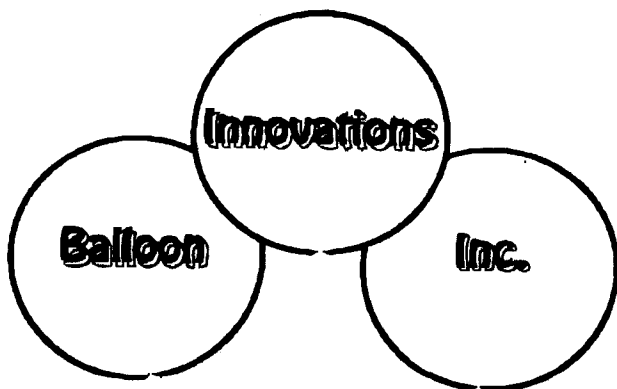
Airgas has in no way given permission to Balloon Innovations (BI) to fill or have filled by another company any compressed gas cylinder that is owned by Airgas. These cylinders would have been marked with a variety of ownership names i.e. Airgas, ARG, Air Products, AP, etc. These cylinders are the sole property of Airgas and no rights to ownership or the filling of these cylinders has been extended to BI.

Regards,

Sam Thompson
Airgas South
Area Vice-President - Georgia
678-776-0023 cell
240-525-0868 fax

U.S. DOT/RSPA/OHME/SOUTHERN REGION

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U.S. DOT/RSPA/OHME/SOUTHERN REGION
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Mr. William Stevens
1701 Columbia Ave., DHM-46
College Park, Ga. 30337

February 20, 2004

Mr. Stevens;

Below listed is the action that we have taken to correct the probable violations that you and Mr. Rastetter found on your inspection of January 23, 2004.

- a. We have sent in registration to the US DOT [copy of the check stub enclosed]
- b. Copy of our new shipping papers with proper emergency response number. Each truck now has an Emergency Response Guidebook as well as two kept at our office location. Our driver is only out making deliveries when our office is open.
- c. Each driver is having training for Haz-Mat is and has taken written tests from training module 1. Results and copies put into our driver qualification files.
- d. As I explained to you that when the cylinder issue occurred over a year ago BOC gases did the inspection of all cylinders, reference letter enclosed. Any cylinders that were in my location were cylinders that probably were returned from customers since the initial BOC clean up and when we collect them they are going back to BOC for testing. I would also like to address # 4 Airgas had filled all of these cylinders for at least the last 3 years prior to terminating our relationship in May of 2003

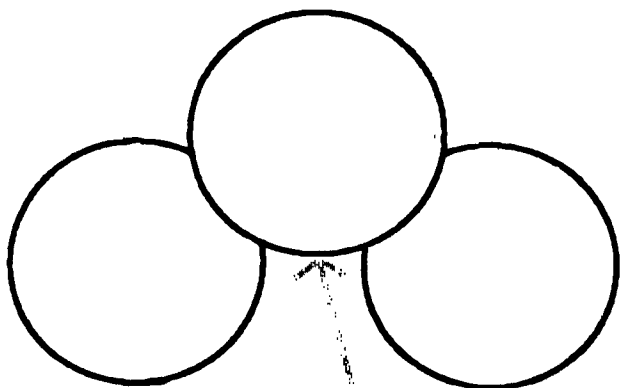
PROMOTION PRODUCTS
OF



3908 SHIRLEY DRIVE • ATLANTA, GEORGIA 30338
TEL: (404) 696-9548 • FAX: (404) 696-2226
e-mail: balloon@1balloon.com
Visit our Website: www.1.balloon

MEMBER





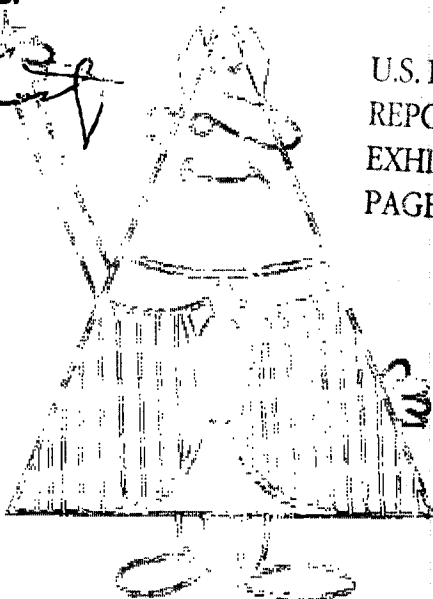
- e. I / We now understand that all shipping papers must be kept for 375 days from the date of the delivery. These include the hazardous material manifest and the daily route log.

I think that as you can see we have tried very hard to be in compliance with all the areas you have pointed out to me. Some of these things I had know idea were a requirement I also know that ignorance is no excuse. I am sorry for being ignorant and will assure you that we will continue to be aware of these things that need to be done.

If there is anything that I have overlooked or needs to be addressed kindly let me know so that we can take care of whatever it may be.

Balloon Innovations, Inc.

Neil Schwartz



U.S. DOT/RSPA/OHME/SOUTHERN REGION
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U.S. Department of
Transportation

Research and
Special Programs
Administration

Office of Hazardous
Materials Enforcement
Southern Region

U.S. DOT/RSPA/OHME
1701 Columbia Ave, (DHM-46)
College Park, Georgia 30337
(404) 305-6120

EXIT BRIEFING

COMPANY NAME BALLOON INNOVATIONS, Inc. DATE 1/22/04

ADDRESS 3908 Shirley Dr., Atlanta, Ga 30336

NAME OF INDIVIDUALS RECEIVING THE BRIEFING:

Name: NEIL SWAR SCHWARTZ Title: PRESIDENT

Name: _____ Title: _____

Name: _____ Title: _____

This has been a compliance inspection conducted in accordance with Title 49 U.S.C. Section 5121(c). This exit briefing addresses only the areas noted, and it is not a finding of general compliance in any other areas covered by the Hazardous Materials Regulations that were subject to the inspection.

During the course of the inspection the following probable violations of 49 CFR and/or quality control items were noted:

PROBABLE VIOLATIONS:

Section: 171.2(a), 107.601(a)(6), 107.608(a) + (b)

Explanation:

A Shipping a HAZMAT, Helium, Compressed, 2.2, UN1046
in a quantity requiring placarding while failing to be
registered with the US DOT/RSPA office for shipping
a H.M.

Ex: Photos, JAA 2015 g/L + BOL dated 1/22/04

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Section: 171.2(a) 172.201(d) + 172.604(c)

Explanation:

B Shipping a HAZMAT, Helium, Compressed, 2.2, UN1046,
with a shipping paper listing the emergency response
phone number of ChemTREC 1-800-424-9000,
when the shipper was not registered with them for their
services.



PROBABLE VIOLATIONS:

Section: 171.2 (b), 172.704 (a)

Explanation:

Failure to provide HM Training to two employees who handle, load + Transport HM, in the areas of general awareness, function specific for documenting Bar, C. to general safety.

Section: 171.2(a), 173.301(a)(2), 173.301(e), 180.205 (d)(1) + (3) +

Explanation: 180.205(f)(1)

Causing cylinders to be grinded upon on the shoulders + neck ring areas + filling with a HAZ MAT without testing to determine new wall thicknesses as well as general condition.

- D.
1. Grinding causes thinner walls + unknown heat affects.
 2. Not informing cyl filler stations that cyl had been grinded upon + thus condition of safe cyl was unknown as to abuse.
 3. Grinding changes cyl condition which could render it unsafe.

Section:

Explanation:

4- ~~Causing~~ Causing cyl to be filled + Transported without the owners permission. Ex: ~~Cyls~~ Cyls Belonging to AIR GAS Industries, GA, which had the owners name "AIR GAS" removed by grinding.

Section:

172.201(e)

Explanation:

Failing to maintain shipping papers for 90 days following delivery.

* Verbal statement from Mr Schwartz that these were not being maintained.

U.S. DOT/RSPA/OHME/SOUTHERN REGION
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PAGE NUMBER 9 OF 20

BOC GASES

Date: February 19, 2004
To: Neil Schwartz
From: David Kaltenbacher
Location: Norcross, GA
Subject: Cylinder Inspections

Neil, this is what took place when you began doing cylinder helium business with Boc Gases:

1. We delivered to you Boc owned cylinders, while picking up the empty black painted cylinders from your site.
2. We shot blasted these black cylinders, at our Chattanooga facility, removing all paint and foreign materials, in order to perform a visual inspection on the body of the cylinders.
3. Cylinders identified as being Boc property were inspected visually for any damage (i.e. due to grinding).
4. All Boc cylinders passing visual inspection were repainted brown, and put back into service.
5. All cylinders found to be owned by a party other than Boc (i.e. Balloon Innovations) were also visually inspected for damage.
6. Those cylinders passing visual inspection were re-painted black, filled and returned to you.
7. All cylinders both Boc owned and otherwise, found to fail inspection were destroyed.

If you have received any more cylinders that need to go through this procedure, please alert Boc gases, and tag these cylinders for identification purposes. You can contact me directly at 770-935-5923. I will gladly assist you in getting these cylinders to our shop in Chattanooga, for inspection.

Regards,

David Kaltenbacher
Operations Manager- Boc Gases

U.S. DOT/RSPA/OHME/SOUTHERN REGION
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TODAY'S DATE _____

3908 SHIRLEY DR - ATLANTA, GA 30336

404 696-9548

CUSTOMER

PHONE

OUT

BOC OUT

BOC IN

BA. IN. IN

CYL. #S

DONE

DRIVER

**ORDERS
PACKED**

U.S. DOT/RSPA/CHME/SOUTHERN REGION	
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FOR SPILL, LEAK
OR EMERGENCY
DURING TRANSPORTATION
CALL 404 696-9548
7 DAYS PER WEEK

BALLOON INNOVATIONS, INC.
3908 SHIRLEY DRIVE
ATLANTA, GEORGIA 30336

DATE _____

HAZARDOUS MATERIAL MANIFEST

HM	PRODUCT	CLASSIFICATION	HM	CYL SIZE		OUT FULL	DAILY SALES		IN		BALANCE	
							SHIP	RET	FULL	RET	FULL	RET
X	NITROGEN, COMPRESSED	12(NONFLAMMABLE GAS)	UN1066	230	H							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	291	T							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	220	K							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							
X	HELIUM, COMPRESSED	12(NONFLAMMABLE GAS)	UN1046	110	S							

DUTY BEGUN _____ TIME

DUTY ENDED _____ TIME

TOTAL DUTY HOURS _____ TOTAL HOURS DRIVING _____

BEGINNING MILEAGE _____ ENDING MILEAGE _____ TOTAL MILEAGE _____

SIGNATURE _____ DATE _____

U.S. DOT/RSPA/OHME/SOUTHERN REGION

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THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED,
PACKAGED, MARKED AND LABELLED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION
ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION

BALLOON INNOVATIONS, INC.

014413

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
	Dues and Subscriptions Exp				150

CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT
2/6/04	14413	US DEPT OF TRANSPORTATION		\$150

Verified by Registration
Office in D.C. BS

U.S. DOT/RSPA/OHME/SOUTHERN REGION

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Module 1 – Instructor Manual

-1
Rickey Rogers
2-25-2004

Module 1 Test

- ✓ 1. Subpart B of Title 49 CFR, Part 172 is entitled B.
- A. Labeling
 - B. Table of Hazardous Materials and Special Provisions
 - C. Emergency Response Information
 - D. Shipping Papers
- ✓ 2. "Dieldrin" in a one-pound (net weight) package is regulated as a hazardous substance.
- ☒ A. True
 - B. False
- ✓ 3. The packaging requirements for the proper shipping name "Flammable liquids, n.o.s., 3, UN1993, PG I" are found in Column 8 of the HMT.
- A. ☒ 8
 - B. 3
 - C. 7
 - D. 10A
- ✓ 4. What is the correct label for a "Consumer commodity"?
- A. Poison label
 - B. Oxidizer label
 - ☒ C. No label required
 - D. Organic label
- ✓ 5. The "+" sign in Column 1 of the HMT _____.
- A. identifies hazardous substances
 - B. fixes the ID number and shipping name
 - C. fixes the mode of transportation
 - ☒ D. fixes the proper shipping name, hazard class or division, and PG
- ✓ 6. Castor beans are regulated when transported by _____.
- A. Air (A)
 - B. G
 - ☒ C. Air and Water (AW)
 - D. Water (W)

U.S. DOT/RSPA/OHME/SOUTHERN REGION
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Module 2 Test

1. The required basic description on a shipping paper must be in the following sequence _____

- A. hazard class or division, proper shipping name, ID No., packing group
- B. total quantity, ID No., PG, hazard class or division, proper shipping name
- C. proper shipping name, ID No., PG, hazard class or division
- ☒ D. proper shipping name, hazard class or division, ID No., PG, total quantity

2. Which is the correct additional entry for a shipment of Anhydrous ammonia containing 0.2% water transported in an MC 331 cargo tank constructed of quenched and tempered (Q and T) steel?

- A. "Noncorrosive"
- B. "Not for Q and T Tanks"
- ☒ C. "0.2 PERCENT WATER"
- D. "Corrosive Hazard"

3. Each person who offers a hazardous material to an aircraft operator for air transportation shall provide _____.

- A. three (3) copies of the required certification
- ☒ B. two (2) copies of the required certification
- C. one (1) copies of the required certification
- D. four (4) copies of the required certification

4. A hazardous material meeting the inhalation toxicity criteria must be identified with the notation _____.

- A. Haz/Mat
- B. Poison-Inhalation Hazard
- C. Zone A, B, C, or D (as appropriate)
- ☒ D. b and c

5. The shipper certification for other than a hazardous waste may be signed _____.

- A. manually
- B. by typewriter or other mechanical means
- C. a signature is not required
- ☒ D. a and b

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-0
Rickey Rogers

Module 3 – Instructor Manual

Module 3 Test

✓ 1. Marking refers to placing information on the outside of the shipping container, such as _____

- A. proper shipping name of the material
- B. identification number
- C. other descriptive information
- ☒ D. all of the above

✓ 2. Required package markings must be in English.

- ☒ A. True
- B. False

✓ 3. When two or more different labels are required, they must be displayed _____

- A. on both ends of the package
- B. three inches apart
- ☒ C. next to each other
- D. none of the above

✓ 4. The following abbreviation(s) may be used in a "proper shipping description" marking _____

- A. AMMO
- B. Blk. Pwd.
- ☒ C. ORM
- D. Auto. Btry.

✓ 5. Referring to Column 6 of the Hazardous Materials Table and 172.101(g), indicate what label(s), if any, is/are specific for Liquefied petroleum gas.

- A. Poison
- B. Non-Flammable Gas
- ☒ C. Flammable Gas
- D. Corrosive and Poison Inhalation Hazard

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✓ 6. A label is not required on a _____

- A. compressed gas cylinder permanently mounted on a transport vehicle
- B. non-bulk package containing combustible liquid
- C. package containing an ORM-D not packaged with any other hazard class requiring labels.
- ☒ D. all of the above

Rickey Rogers
2-25-2004

Module 4 – Instructor Manual

Module 4 Test

1. The Placarding requirements do not apply to _____.

- A. infectious substances and/or hazardous materials classed as ORM-D
- B. small quantities of certain hazard classes
- C. limited quantities (Ltd. Qty.), when noted on shipping document
- ☒ D. all of the above

2. The EXPLOSIVES 1.2 placard is not required if the transport vehicle or freight container contains Div. 1.2 and Div. 1.1 explosives and is placarded EXPLOSIVES 1.1.

- ☒ A. True
- B. False

3. Except for bulk packaging and hazardous materials subject to 172.505, placards are not required for Table 2 materials on a rail car loaded with vehicles or freight containers that don't require placards.

- ☒ A. True
- B. False

4. A Class 3 liquid [1,814 kg. (3,999 lbs.)] is loaded into a freight container with a capacity of 18 cubic meters (640 cubic feet) or more. The freight container must be placarded _____.

- A. DANGEROUS
- ☒ B. FLAMMABLE
- C. FLAMMABLE LIQUID
- D. no placard required

5. For the shipment of three hundred packages of Division 5.1 (Oxidized-labeled) material weighing 272 kg (600 lbs.) total and 318 kg (700 lbs.) of Division 6.1 (poison-labeled), PG III, material, the carrier may affix which of the following placards?

- A. POISON and DANGEROUS
- B. OXIDIZER and DANGEROUS
- C. POISON and OXIDIZER
- ☒ D. Any of the above

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100%

Jason Bradford
2/25/04

Module 5 Test

1. A shipment of hazardous materials that is not prepared in accordance with the HMR may not be offered for transportation by any mode.

- ☒ A. True
B. False

2. Hazardous materials packaging may be used more than once provided they comply with Section _____.

- A. 173.29
☒ B. 173.28
C. 173.23
D. 173.25

3. The shipper of a hazardous material in a salvage drum must prepare shipping papers for the material.

- ☒ A. True
B. False

4. A shipment of four one-liter metal cans of Compound, cleaning liquid, a Class 3 (Flammable liquid), being offered for transportation by aircraft, does not require _____.

- A. label(s)
B. marking
☒ C. Specification packaging
D. any of the above

5. A waste Class 3 material (Flammable liquid) is not subject to the specification packaging requirements of the HMR if packaged in accordance with _____.

- A. 173.29
B. 173.9
C. 173.10
☒ D. 173.12

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Ricky Roger
2-24-2004

Module 5 Test

1. A shipment of hazardous materials that is not prepared in accordance with the HMR may not be offered for transportation by any mode.

- ☒ A. True
☐ B. False

2. Hazardous materials packaging may be used more than once provided they comply with Section _____.

- A. 173.29
☒ B. 173.28
C. 173.23
D. 173.25

3. The shipper of a hazardous material in a salvage drum must prepare shipping papers for the material.

- ☒ A. True
☐ B. False

4. A shipment of four one-liter metal cans of Compound, cleaning liquid, a Class 3 (Flammable liquid), being offered for transportation by aircraft, does not require _____.

- A. label(s)
B. marking
☒ C. Specification packaging
D. any of the above

5. A waste Class 3 material (Flammable liquid) is not subject to the specification packaging requirements of the HMR if packaged in accordance with _____.

- A. 173.29
B. 173.9
C. 173.10
☒ D. 173.12

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Module 1 – Instructor Manual

-0 Jason Bradford

2/25/04

Module 1 Test

- ✓ 1. Subpart B of Title 49 CFR, Part 172 is entitled _____.
- A. Labeling
 - ☒ B. Table of Hazardous Materials and Special Provisions
 - C. Emergency Response Information
 - D. Shipping Papers
- ✓ 2. "Dieldrin" in a one-pound (net weight) package is regulated as a hazardous substance.
- ☒ A. True
 - B. False
- ✓ 3. The packaging requirements for the proper shipping name "Flammable liquids, n.o.s., 3, UN1993, PG I" are found in Column _____ of the HMT.
- ☒ A. 8
 - B. 3
 - C. 7
 - D. 10A
- ✓ 4. What is the correct label for a "Consumer commodity"?
- A. Poison label
 - B. Oxidizer label
 - ☒ C. No label required
 - D. Organic label
- ✓ 5. The "+" sign in Column 1 of the HMT _____.
- A. identifies hazardous substances
 - B. fixes the ID number and shipping name
 - C. fixes the mode of transportation
 - ☒ D. fixes the proper shipping name, hazard class or division, and PG
- ✓ 6. Castor beans are regulated when transported by _____.
- A. Air (A)
 - B. G
 - ☒ C. Air and Water (AW)
 - D. Water (W)

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Module 2 Test

- ✓ 1. The required basic description on a shipping paper must be in the following sequence _____.
- A. hazard class or division, proper shipping name, ID No., packing group
 - B. total quantity, ID No., PG, hazard class or division, proper shipping name
 - C. proper shipping name, ID No., PG, hazard class or division
 - ☒ D. proper shipping name, hazard class or division, ID No., PG, total quantity
- ✓ 2. Which is the correct additional entry for a shipment of Anhydrous ammonia containing 0.2% water transported in an MC 331 cargo tank constructed of quenched and tempered (Q and T) steel?
- A. "Noncorrosive"
 - B. "Not for Q and T Tanks"
 - ☒ C. "0.2 PERCENT WATER"
 - D. "Corrosive Hazard"
- ✓ 3. Each person who offers a hazardous material to an aircraft operator for air transportation shall provide _____.
- A. three (3) copies of the required certification
 - ☒ B. two (2) copies of the required certification
 - C. one (1) copies of the required certification
 - D. four (4) copies of the required certification
- ✓ 4. A hazardous material meeting the inhalation toxicity criteria must be identified with the notation _____.
- A. Haz/Mat
 - B. Poison-Inhalation Hazard
 - C. Zone A, B, C, or D (as appropriate)
 - ☒ D. b and c
- ✓ 5. The shipper certification for other than a hazardous waste may be signed _____.
- A. manually
 - B. by typewriter or other mechanical means
 - C. a signature is not required
 - ☒ D. a and b

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Module 3 – Instructor Manual

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Jason Bradford
2/25/04

Module 3 Test

- ✓ 1. Marking refers to placing information on the outside of the shipping container, such as _____
- A. proper shipping name of the material
 - B. identification number
 - C. other descriptive information
 - ☒ D. all of the above
- ✓ 2. Required package markings must be in English.
- ☒ A. True
 - B. False
- ✓ 3. When two or more different labels are required, they must be displayed _____
- A. on both ends of the package
 - B. three inches apart
 - ☒ C. next to each other
 - D. none of the above
- ✓ 4. The following abbreviation(s) may be used in a "proper shipping description" marking _____
- A. AMMO
 - B. Blk. Pwd.
 - ☒ C. ORM
 - D. Auto. Btry.
- ✓ 5. Referring to Column 6 of the Hazardous Materials Table and 172.101(g), indicate what label(s), if any, is/are specific for Liquefied petroleum gas.
- A. Poison
 - B. Non-Flammable Gas
 - ☒ C. Flammable Gas
 - D. Corrosive and Poison Inhalation Hazard
- ✓ 6. A label is not required on a _____
- A. compressed gas cylinder permanently mounted on a transport vehicle
 - B. non-bulk package containing combustible liquid
 - C. package containing an ORM-D not packaged with any other hazard class requiring labels.
 - ☒ D. all of the above

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Module 4 – Instructor Manual

Jason Bradford
2/25/04

Module 4 Test

- ✓ 1. The Placarding requirements do not apply to _____.
- A. infectious substances and/or hazardous materials classed as ORM-D
 - B. small quantities of certain hazard classes
 - C. limited quantities (Ltd. Qty.), when noted on shipping document
 - ☒ D. all of the above
- ✓ 2. The EXPLOSIVES 1.2 placard is not required if the transport vehicle or freight container contains Div. 1.2 and Div. 1.1 explosives and is placarded EXPLOSIVES 1.1.
- ☒ A. True
 - B. False
- ✓ 3. Except for bulk packaging and hazardous materials subject to 172.505, placards are not required for Table 2 materials on a rail car loaded with vehicles or freight containers that don't require placards.
- ☒ A. True
 - B. False
- ✓ 4. A Class 3 liquid [1,814 kg. (3,999 lbs.)] is loaded into a freight container with a capacity of 18 cubic meters (640 cubic feet) or more. The freight container must be placarded _____.
- A. DANGEROUS
 - ☒ B. FLAMMABLE
 - C. FLAMMABLE LIQUID
 - D. no placard required
- ✓ 5. For the shipment of three hundred packages of Division 5.1 (Oxidized-labeled) material weighing 272 kg (600 lbs.) total and 318 kg (700 lbs.) of Division 6.1 (poison-labeled), PG III, material, the carrier may affix which of the following placards?
- ☒ A. POISON and DANGEROUS
 - B. OXIDIZER and DANGEROUS
 - C. POISON and OXIDIZER
 - D. Any of the above

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Module 6A – Instructor Manual

Module 6A Test

Janet Bradford
2/24/04

1. You may not smoke or carry any lighted material when loading or unloading _____.
 - A. flammables
 - B. explosives
 - C. oxidizers
 - ☒ D. all of the above

2. All records, equipment and packages relating to transportation safety that are under a motor carrier's control must be available for USDOT inspection.
 - ☒ A. True
 - B. False

3. Motor carriers may transport hazardous materials through urban/public vehicular tunnels used for mass transportation. However, with the exception of radioactive materials, the transportation must be performed in accordance with state and local requirements.
 - ☒ A. True
 - B. False

4. Foodstuffs should not be carried in the same vehicle as:
 - A. corrosives
 - B. flammable gas
 - ☒ C. poisons
 - D. oxidizers

5. In an emergency, DOT may permit a motor carrier to move an unmarked and/or un placarded motor vehicle containing hazardous material.
 - ☒ A. True
 - B. False

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Module 6A – Instructor Manual

Module 6A Test

1. You may not smoke or carry any lighted material when loading or unloading _____.
- A. flammables
 - B. explosives
 - C. oxidizers
 - ☒ D. all of the above
2. All records, equipment and packages relating to transportation safety that are under a motor carrier's control must be available for USDOT inspection.
- ☒ A. True
 - B. False
3. Motor carriers may transport hazardous materials through urban/public vehicular tunnels used for mass transportation. However, with the exception of radioactive materials, the transportation must be performed in accordance with state and local requirements.
- ☒ A. True
 - B. False
4. Foodstuffs should not be carried in the same vehicle as:
- A. corrosives
 - B. flammable gas
 - ☒ C. poisons
 - D. oxidizers
5. In an emergency, DOT may permit a motor carrier to move an unmarked and/or unplacarded motor vehicle containing hazardous material.
- ☒ A. True
 - B. False

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